IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

UNITED STATES OF AMERICA)
) Case No. 1:03CR00020
v.) OPINION AND ORDER
RICKY LYNN HONAKER,) By: James P. Jones) Chief United States District Judge
Defendant.)

Ricky Lynn Honaker, Pro Se Defendant.

The defendant was sentenced to imprisonment by this court on December 2, 2003. He has now filed a pro se motion seeking to compel the government to file a motion to reduce his sentence pursuant to Federal Rule of Criminal Procedure 35(b). Because he alleges no facts that show any improper motive for the government's refusal, his motion is without merit. *See United States v. Butler*, 272 F.3d 683, 686 (4th Cir. 2001).

For this reason, it is **ORDERED** that the motion (Docket No. 273) is DENIED.

ENTER: April 29, 2007

/s/ James P. Jones

Chief United States District Judge